Right to education as a fundamental right

1380. SHRI MANOJ BHATTACHARYA:
SHRIMATI HEMA MALINI:
SHRI KARNENDU BHATTACHARJEE:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether Government have recognised the right to education as a Fundamental Right of the citizen by inserting Article 21A in Part III of the Constitution;

(b) if so, since when;

(c) whether necessary legislative measures have been enacted in this regard;

(d) if so, the details thereof and if not, the reasons therefor;

(e) by when the necessary legislation in this regard could be expected;

(f) whether Government are facing fiscal snag; and

(g) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI D. PURANDESWARI): (a) to (g) The Constitution (86th Amendment) Act, 2002, which came into force on 13th December 2002, seeks to make free and compulsory education a Fundamental Right for all children in the age-group 6-14 years by inserting a new Article 21-Ain Part III ("Fundamental Right") of the Constitution.

Based on the report of a committee set up by the reconstituted Central Advisory Board of Education (CABE) to suggest a draft of the legislation envisaged under Article 21A, a draft Right to Education Bill 2005 was prepared and sent to all State Governments/UTs and Central Ministries for their views.

In the meanwhile, the Prime Minister also constituted and small group comprising Minister of Human Resource Development, Finance Minister, Deputy Chairman, Planning Commission and Chairman of the PM's Economic Advisory Council to examine, inter-alia, the legal, constitutional and financial implications of the Bill. The meeting of this group has been held and the report received.